

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ELECTRIC GENERATORS FOR A SENSIBLE
TRANSITION,

Petitioner,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Respondent.

Case No.: 24-1128

PETITION FOR REVIEW

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15(a), and D.C. Circuit Rule 15, Electric Generators for a Sensible Transition hereby petitions this Court for review of Respondent United States Environmental Protection Agency’s final rule entitled “New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule.” 89 Fed. Reg. 39,798 (May 9, 2024).

Dated: May 10, 2024

Respectfully submitted,

/s/ Allison D. Wood

Allison D. Wood

Makram B. Jaber

McGUIREWOODS LLP

888 16th Street N.W., Suite 500

Black Lives Matter Plaza

Washington, DC 20006

(202) 857-1700

awood@mcguirewoods.com

mjaber@mcguirewoods.com

*Counsel for Electric Generators for a
Sensible Transition*

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ELECTRIC GENERATORS FOR A SENSIBLE
TRANSITION,

Petitioner,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Respondent.

Case No.: 24-1128

RULE 26.1 STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, Electric Generators for a Sensible Transition hereby states that it is an *ad hoc* coalition of electric generating companies and a national trade association that have joined together for the purpose of filing this petition for review. The members of the *ad hoc* coalition own and operate electric generating units that are subject to the final rule at issue in this case or have members that own and operate such units. The members of the *ad hoc* coalition are American Electric Power Company, Inc.; American Public Power Association; Appalachian Power Company; Arizona Public Service Company; Duke Energy Corporation; Kentucky Power Company; Ohio Valley Electric Corporation; Public Service Company of

Oklahoma; Southwestern Electric Power Company; Talen Generation, LLC; Talen Montana Holdings, LLC; Vistra Corp.; and Wheeling Power Company.

Electric Generators for a Sensible Transition has no parent corporation, and no publicly held corporation has a 10% or greater ownership in it.

Dated: May 10, 2024

Respectfully submitted,

/s/ Allison D. Wood

Allison D. Wood

Makram B. Jaber

McGUIRE WOODS LLP

888 16th Street N.W., Suite 500

Black Lives Matter Plaza

Washington, DC 20006

(202) 857-1700

awood@mcguirewoods.com

mjaber@mcguirewoods.com

*Counsel for Electric Generators for a
Sensible Transition*

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing
Petition for Review and Rule 26.1 Statement to be served by U.S. Mail, postage
prepaid, addressed to the following:

Hon. Michael S. Regan
Office of the Administrator (1101A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Hon. Merrick Garland
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Correspondence Control Unit
Office of General Counsel (2310A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Hon. Todd Kim
Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dated: May 10, 2024

/s/ Allison D. Wood
Allison D. Wood
*Counsel for Electric Generators for a
Sensible Transition*